IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NOs : 18474,15593,16787,16481 of 2003

Writ petition no. 18474 of 2003

Between:

1 The Executive Engineer, (R & B) Division, Miryalaguda.
2 Deputy Executive Engineer R & B Sub Division, Huzurnagar

..... PETITIONERS

AND

1 The Presiding Officer, Labour Court-III, Hyderabad.
2 P. Ramulu, S/o. Kondaiah,R/o. Miryalaguda, Nalgonda Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass appropriate Writ, Order or direction more particularly one in the nature of Writ of CERTIORARI calling for records pertaining to the award passed in I.D. No. 37/200, dt. 8-7-2002 on the file of the Labour Court-III, Hyderabad and published in G.O. Rt. No. 1783, Labour, Employment Training & Factories (LAB) Dept. dated 27-7-2002 and declare the action of the Respondent No. 1 (Labour Court-III) in passing the Award as illegal, improper, arbitrary and quash the same and pass

Counsel for the Petitioners:GP FOR ROADS & BUILDINGS

Counsel for the Respondent No.1:G.P. for Labour.

Counsel for the Respondent No.2: Sri G.Ravi Mohan.

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 15593 of 2003

Between:

1 The Executive Engineer, (R&B) Division, Miryalaguda.
2 Deputy Executive Engineer, R&B Sub Division, Huzurnagar.

..... PETITIONERS

AND

1 The Presiding Officer, Labour Court-III, Hyderabad.
2 V. Veerashiva, S/o. Venkateshwarlu, R/o. Miryalaguda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass appropriate Writ, Order or direction more particularly one in the nature of Writ of CERTIORARI calling for records pertaining to the Award passed in I.D.No. 72/2000, dt: 08-07-2002 on the file of the Labour Court-III, Hyderabad and published in G.O.Rt.No. 1783, Labour, Employment Training & Factories (LAB) Dept., dated 27-07-2002 and declare the action of the Respondent No.1 (Labour Court-III) in passing the Award as illegal, improper, arbitrary and quash the same

Counsel for the Petitioners:GP FOR ROADS & BUILDINGS

Counsel for the Respondent No.1: G.P. for Labour

Counsel for the Respondent No.2: Sri G.Ravi Mohan

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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 16787 of 2003

Between:

1 The Executive Engineer (R & B) Division., Miryalguda.,
2 Deputy Executive Engineer., R & B Sub Division., Huzurnagar.

..... PETITIONERS

AND

1 The Presiding Officer., Labour Court-III Hyderabad.
2 G.Veeraswamy s/o Guruvaiah, R/o Miryalguda., Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to for the reasons stated in the accompanying affidavit it is prayed that this Hon'ble court may be pleased to pass appropriate Writ, Order or direction more particularly one in the nature of Writ of Certiorari calling for records pertaining to the award passed in I.D.No.38/2000, dated 08-07-2002 on the file of the Labour Court-III, Hyderabad and published in G.O.Rt.No.1783, Labour, Employment Training & Factories (LAB) Dept., dated 27-07-2002 and declare the action of the Respondent No.1 (Labour Court-III) in passing the award as illegal, improper, arbitrary and quash the same

Counsel for the Petitioners:GP FOR ROADS & BUILDINGS

Counsel for the Respondent No.1:G.P. for Labour

Counsel for the Respondent No.2: Sri G.Ravi Mohan

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 16481 of 2003

Between:

1 The Executive Engineer, (R& B) Division,Miryalguda,
Nalgonda District.
2 The Deputy Executive Engineer, R & B Sub division, Huzurnagar,
Nalgonda District.

..... PETITIONERS

AND

1 The Presiding Officer,Labour Court-III,
Hyderabad.
2 K. Somulu, S/o. Kasaiah,R/o. Miryalguda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass appropriate writ, order or direction more particularly one in the nature of Writ of Certiorari calling for records pertaining to the Award passed in I.D. No. 35/2000, dt. 08-07-2002 on the file of the Labour Court-III, Hyderabad and published in G.O. Rt. No. 1783, Labour, Employment Training & Factories (LAB) Dept. dated 27-07-2002 and declare the action of the Respondent No. 1 (Labour Court-III) in passing the Award as illegal, improper, arbitrary and quash the same and pass

Counsel for the Petitioners:GP FOR ROADS & BUILDINGS

Counsel for the Respondent No.1: G.P. for Labour

Counsel for the Respondent No.2: Sri G.Ravi Mohan.

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COMMON ORDER:

All these writ petitions have been filed by the Executive Engineer, Roads and Buildings Division, Miryalaguda, Nalgonda District and the Deputy Executive Engineer, Roads and Buildings Sub-Division, Huzurnagar, against the common award dated 08-07-2002 on the file of the Labour Court-III, Hyderabad, on the industrial disputes raised by different workmen.

The Labour Court-III, Hyderabad, by the aforesaid award, partly allowed the applications of the workmen and the oral removal orders of the writ petitioners dated 01-12-1999 was set aside and consequently they are directed to reinstate the workmen into service with continuity of service without back wages and without attendant benefits, and it is further directed that the award shall be implemented within one month from the date of its publication. The publication was made by the

Government vide G.O.Rt.No.1783, Labour Employment Training and Factories (LAB.I) Department, dated 27-07-2002 and the award has to be implemented w.e.f. 27-08-2002. But these writ petitions have been filed by the writ petitioners in July, 2003 and obtained interim stay of the said award subject to payment of the wages under Section 17-B of the Industrial Disputes Act.

The Government issued orders in Memo No.16841/Ser.III.1/2003-3, Transport, Roads and Buildings (SER.III.1) Department, dated 29-07-2004 instructing the Executive Engineer, Roads and Building, Miryalaguda to withdraw all the writ petitions filed against the award dated 08-07-2002, passed by the Labour Court-III, Hyderabad, in respect of twelve cases pending on the file of this Court. Accordingly, the Executive Engineer R & B, Miryalaguda addressed a letter dated 31-07-2004 to the learned Government Pleader for Transport, Roads & Buildings requesting him to withdraw all the writ petitions filed by him. The Government clearly indicated in the said memo requesting the Engineer-in-Chief, Roads & Buildings to implement the common award dated
08-07-2002, passed by the Labour Court and send a compliance report in this regard, immediately as the Government wanted to implement the award.

The learned counsel appearing for the workmen submits that the workmen are entitled for their reinstatement immediately after expiry of one month from the date of publication of the award and as the department has not reinstated them, they are entitled for reinstatement into service with retrospective effect and also for payment of back wages. When the Government itself has clearly indicated in their memo directing the Engineer-in-Chief, Roads and Buildings, to implement the award, there is no reason for the said apprehension for the learned counsel appearing for the workmen.

In view of the said letter dated 29-07-2004, all the writ petitions are accordingly, dismissed as withdrawn. No costs.

05-08-2004.

Mjl/*

ASSISTANT REGISTRAR.

To

1. The Executive Engineer (R&B) Division, Miryalaguda, Nalgonda District.
2. The Dy. Executive Engineer, R&B, Sub Division, Huzurnagar, Nalgonda District.
3. The Presiding Officer, Labour Court-III, Hyderabad.
4. 2 CCs to G.P. for Roads and Buildings, High Court of A.P.Hyderabad. (OUT)
5. 2 CCs to the G.P. for Labour, High Court Bldgs, Hyderabad (OUT).
6. 2 CD copies.